

CPA-AMD

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**CENTRAL FAX CENTER****SEP 09 2004****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Hass

Application No.: 09/528,261

Filed: 03/17/2000

Title: System, Device and Method for Supporting A  
Label Switched Path Across A Non-MPLS Compliant  
Segment

Group Art Unit: 2661

Examiner: Wilson

Attorney Docket No.: 2204/A01 120-190

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**RESPONSE AFTER FINAL**

Dear Sir:

In response to the Office Action of July 9, 2004, entry of this response is respectfully requested.

**REMARKS**

Claims 1-57 are pending in this application. Claims 1-18 and 28-57 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tappan. Claims 19-27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tappan in view of Casey. Claims 50-52 are currently amended. Reconsideration is requested.

Claim 1 distinguishes Tappan because a tunnel is employed to transmit a packet across a non-label switched domain to preserve label stack information. The Office asserts that an ATM cell having an MPLS packet suggests the method recited in claim 1. Inherent in that assertion is